

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ref.: EX-2DC4

Michael J. SHEA

Serial No. TBA

Filed: April 3, 2000

Title: EXERCISE APPARATUS

Group Art Unit: TBA

Examiner: TBA

Date: April 3, 2000



Assistant Commissioner for Patents

Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of the reference(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement ("IDS") is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

This IDS is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).

b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).

c. Attached is our check no. _____ in the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Dep Acct No. _____ as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the IDS be considered. Attached is our check in the amount of \$130.00 to cover payment of the petition fee under 37 C.F.R. 1.17(i)(1). Please credit or debit Deposit Account No. _____ as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

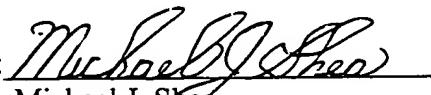
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Application No. TBA

- a. I hereby certify that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).
- Relevance of the non-English language reference(s) is discussed in the present specification.
- The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix hereto.
- The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- Copies of the references identified on the attached Form PTO 1449 were cited by or submitted to the Office in parent Application No. 09/317,980 filed May 25, 1999, which is relied upon for an earlier filing date under 35 U.S.C. Section 120. Thus, no copies of these references are enclosed. 37 C.F.R. 1.98(d).
- Copies of the references were cited by or submitted to the Office in parent Application No. _____, filed _____ and are being resubmitted herein for the Examiner's consideration. Form PTO 1449 is attached with copies of the aforementioned references.
- Other. This application claims priority from Application No. 09/317,980, filed May 25, 1999; Application No. 08/869,166, filed June 4, 1997; and Application No. 493,541, filed June 22, 1995. Application No. 09/329,355, filed June 10, 1999 also claims priority from Application No. 08/869,166, filed June 4, 1997 and Application No. 493,541, filed June 22, 1995.

Respectfully submitted,

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